

BILL NO. R- 80-03-38

RESOLUTION NO. R-

37-80

A RESOLUTION finding, determining and ratifying an inducement resolution of the Fort Wayne Economic Development Commission authorizing the issuance and sale of \$9,000,000.00 Economic Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose of inducing the Applicant to proceed with the acquisition, construction and equipping of the Project.

WHEREAS, the City of Fort Wayne, Indiana, (the "City") is authorized by I.C. 1971, 18-6-4.5 (the "Act") to issue economic development revenue notes or bonds for the financing of economic development facilities, the funds from said financing to be used either for the acquisition, construction and equipping of said facilities for lease to other persons or for the making of loans to corporations or persons who will undertake such acquisition, construction and equipment from the proceeds of such loans; and

WHEREAS, Brighton Meadows, (the "Company") has advised the City that it proposes either to lease from the City or to acquire, construct and equip an economic development facility with the proceeds of a loan it requests the City to grant, said economic development facility to consist of 248 unit multi-family apartment complex to be located on the east side of Getz Road between Illinois Road and U.S. Highway 24 and adjacent to Constitution Drive in the City of Fort Wayne, Indiana (the "Project"); and

WHEREAS, the Company has further advised the City that a determination by the City to issue its revenue notes in an amount not to exceed Nine Million Dollars (\$9,000,000.00) under the Act to finance the acquisition, construction and equipment of the Project (under contractual arrangements whereby the Company would either (i) make payments sufficient to pay the principal of, premium, if any, and interest on such notes or (ii) would make Lease payments to the City sufficient to pay such principal, premium and interest) will constitute

a substantial inducement to the Company to proceed with negotiations for the construction and equipment of the Project and the Company will agree to pay or reimburse the costs of the City whether or not such notes are issued; and

WHEREAS, the Company is an Indiana Limited Partnership with Lewis Rothbard and Donald E. Hedrick as general partners and PAC Financial Corporation as limited partner; and

WHEREAS, having received the advice of the Fort Wayne Economic Development Commission, it would appear that the financing of the Project will increase employment opportunities and will be of benefit to the health and welfare of the City and its citizens; and

WHEREAS, the acquisition and construction of the Project will not have an adverse competitive effect on any similar facility already constructed in operating in or about the City; and

WHEREAS, issuance of such notes will not require any expenditure of the funds of the City; and

WHEREAS, a form of Agreement between the City and the Company with respect to the proposed Project has been presented to the Common Council; and

WHEREAS, subject to all required actions and approvals under the Act, the City intends to use its best efforts to cooperate with the Company by issuing the City's economic development revenue notes to finance the Project; now therefore

BE IT ORDAINED by the Common Council of the City of Fort Wayne, Indiana, that:


1. The Common Council finds and determines that the issuance and sale of revenue notes of the City under the Act in an amount not to exceed Nine Million Dollars (\$9,000,000.00) and the use of the proceeds derived therefrom to finance the acquisition, construction and equipment of the Project, and the expenses incidental thereto, complies with the purposes and provisions of I.C. 1971, 18-6-4.5 (the "Act"), will increase employment opportunities, will be of benefit to the

health and welfare of the City and its citizens, and that the Project will be an "Economic Development Facility" within the meaning of that term as defined in the Act.

2. In order to induce the Company to proceed with the construction and equipping of the Project, the Common Council hereby determines that (i) it will take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided that all of the foregoing shall be authorized by law and is mutually acceptable to the City and the Company; and (ii) it will adopt such ordinances and resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development notes in an amount not to exceed Nine Million Dollars (\$9,000,000.00) subject to the City obtaining all approvals as may be required under the Act, including the advice of the Fort Wayne Economic Development Commission.

3. The Mayor is hereby authorized to execute, and the Clerk is hereby authorized to attest, an Agreement with the Company in substantially the form of such agreement as was presented to this meeting or with such changes therein shall be approved by the officials executing the same.

CITY OF FORT WAYNE



Councilman

Approved as to form and legality:


John E. Hoffman, City Attorney

Read the first time in full and on motion by Stier,
seconded by Charles, and duly adopted, read the second time
by title and referred to the Committee Finance (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, 19____, the _____ day of _____,
at _____ o'clock _____ M., E.S.T.

DATE: 3-25-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Stier,
seconded by Talarico, and duly adopted, placed on its
passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>6</u>	<u>1</u>	<u>1</u>	<u>1</u>	
BURNS	<u>X</u>				
EISBART		<u>X</u>			
GiaQUINTA				<u>X</u>	
NUCKOLS			<u>X</u>		
SCHMIDT, D.	<u>X</u>				
SCHMIDT, V.	<u>X</u>				
SCHOMBURG	<u>X</u>				
STIER	<u>X</u>				
TALARICO	<u>X</u>				

DATE: 4/22/80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (~~ZONING MAP~~) (GENERAL) (~~ANNEXATION~~) (SPECIAL)
(~~APPROPRIATION~~) ORDINANCE (RESOLUTION) No. R-38-80
on the 22nd day of April, 1980.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Virian L. Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 22nd day of April, 1980, at the hour of
11:30 o'clock A M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 2nd day of May
1980, at the hour of 2 o'clock P M., E.S.T.

Win Moses Jr. / GA
WINFIELD C. MOSES, JR.
MAYOR

BILL NO. R-80-03-38

*Hand file
4/15/90
Ray Butler*

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN
ORDINANCE A RESOLUTION finding, determining and ratifying an in-
ducement resolution of the Fort Wayne Economic Development Commission
authorizing the issuance and sale of \$9,000,000.00 Economic
Revenue Bonds of the City of Fort Wayne, Indiana, for the purpose
of inducing the Applicant to proceed with the acquisition,
construction and equipping of the Project

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JAMES S. STIER, CHAIRMAN

MARK GIAQUINTA, VICE CHAIRMAN

BEN EISBART

PAUL M. BURNS

DONALD J. SCHMIDT

Jim Miller
Mark & Jim Quinta
DJ Schmidt

4-22-80
DATE _____ CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

AGREEMENT

THIS AGREEMENT between the City of Fort Wayne, Indiana (the "City"), and Brighton Meadows, an Indiana limited partnership (the "Company").

1. Preliminary Statement. Among the matters of mutual inducement which have resulted in the execution of this Agreement are the following:

(a) The City is authorized and empowered by the provisions of Sections 18-6-4.5-1 through 18-6-4.29 of the Indiana Code of 1971, as amended (the "Act"), to issue economic development revenue notes or bonds for the purpose of defraying the cost of acquiring, constructing and equipping economic development facilities (as defined in the Act) and to lease or sell the same to others for such rentals and upon such terms and conditions as the Issuer may deem advisable or to loan the proceeds of such bonds to private entities who will acquire, construct and equip economic development facilities and will make payments to the City sufficient to pay all of the principal of, premium (if any) and interest on such bonds.

(b) The Company wishes to obtain satisfactory assurance that the proceeds of the sale of the revenue bonds will be made available to finance the costs of certain economic development facilities (the "Project").

(c) The Fort Wayne Economic Development Commission (the "Commission") is authorized pursuant to the Act to negotiate and to make certain findings with respect to such

revenue bonds on behalf of the City, and has made its favorable preliminary recommendation to the City.

(d) Subject to due compliance with all requirements of law and to the provisions of paragraph 4 hereof, the City agrees to use its efforts to take such actions, pursuant to such statutory authority as may now or hereafter be conferred by the Act, to issue and sell its economic development revenue notes in an amount of approximately \$9,000,000 (hereinafter, such notes are referred to as the "Bonds") to pay costs of the Project.

(e) Subject to the results of further investigation and a public hearing, and based upon the recommendations of the Commission and facts presently in its possession, the City considers that the acquisition, construction and equipping of the Project will promote and further the purposes of the Act.

2. Undertakings on the Part of the City. Subject to the conditions above stated, the City agrees as follows:

(a) That it will take such actions as are necessary on its part to authorize the issuance and sale of the Bonds, pursuant to the terms of the Act as then in force, for the purpose of locating the Project within or near the boundaries of the City.

(b) That it will cooperate with the Company in the efforts of the Company to find a purchaser or purchasers for the Bonds, and if satisfactory purchase arrangements are made, it will adopt, or cause to be adopted, such proceedings and authorize the execution of such documents on its part as

may be necessary or advisable for authorization, issuance and sale of the Bonds, and the acquisition, construction and equipping of the Project, as aforesaid, and the authorization and execution of either a lease or a loan agreement between the City and the Company, all as shall be authorized by law and mutually satisfactory to the City and the Company.

(c) That, if the City issues and sells the Bonds, it will either (i) acquire or construct, or complete the construction and equipment of the Project and lease or sell it to the Company, or (ii) make a loan to the Company of the proceeds of issuance of the Bonds, to be used to finance the acquisition, construction and equipment of the Project, and, in either case, the aggregate basic rent payments or loan payments (i.e., the amounts to be paid by the Company and used by the City to pay the principal, premium, if any, and interest on the Bonds) payable under the instrument whereby the Project shall be leased to the Company, or financed through the making of a loan, shall be such sums as shall be sufficient to pay the principal of, premium, if any, and interest on the Bonds as and when the same shall become due and payable.

(d) That it will take or cause to be taken such other actions and adopt such further proceedings as may be required to implement the aforesaid undertakings or as it may deem appropriate in pursuance thereof.

3. Undertakings on the Part of the Company. Subject to the conditions stated above, the Company agrees as follows:

(a) That it will use all reasonable efforts to find one or more purchasers for the Bonds.

(b) That it will to the extent deemed by it to be necessary or desirable, immediately enter into a contract or contracts for the acquisition, construction and equipping of the Project (including any necessary contracts for the procurement of property necessary or useful in said Project and which will become a part thereof). The Company will provide, or cause to be provided at its own expense, the necessary interim financing for the Project. The Company also agrees that upon issuance of the Bonds, it will either (i) convey to the City, by such bill of sale or bills of sale and such other instruments as may be necessary and appropriate, for an amount equal to that theretofore expended by the Company for the Project, all interest which it may have in the same, as the Project may exist on the date of issuance of the Bonds, and will enter into a lease with the City under which the Company will lease from the City such Project, including those portions thereof which may be constructed thereafter from the proceeds of the Bonds and will make rental payments under such lease sufficient to pay the principal of and interest and premium (if any) with respect to the Bonds, or (ii) enter into a loan agreement with the City contemplating reimbursement for amounts theretofore expended by the Company for acquisition, construction or equipment of the Project, under the terms of which agreement the Company will make loan payments sufficient

to pay the principal of, premium, if any, and interest with respect to the Bonds, and will also enter into such further security documents as are deemed necessary by the purchaser of the Bonds. The City shall have no financial responsibility with respect to the Bonds or the Project except from the proceeds of the Bonds or from loan payments, rentals, revenues or other income produced from the lease, sale or other disposition thereof, and the payment of principal of, premium (if any) and interest on the Bonds shall be made solely from such moneys.

(c) That it will execute such guaranties, financing statements and other instruments and take such further action and adopt such further proceedings as may be required to implement its aforesaid undertakings or as it or the City may deem appropriate in pursuance thereof.

4. General Provisions.

(a) All commitments of the City under paragraph 2 hereof and of the Company under paragraph 3 hereof are subject to the conditions that the City and the Company shall agree to mutually acceptable terms for the Bonds and of the sale and delivery thereof, and mutually acceptable terms and conditions of the contracts and instruments referred to in paragraph 3 and the proceedings referred to in paragraphs 2 and 3 hereof.

(b) In order to induce the City to execute and deliver this Agreement and ultimately to issue the Bonds, the Company hereby agrees to defend, indemnify and hold the City and the Fort Wayne Economic Development Commission and any

officials thereof harmless against any and all loss, cost, expense, claims or actions arising out of or connected with the execution and delivery of this Agreement and the preparation of proceedings for, and the issuance, sale or delivery of, the Bonds.

(c) The financing of the Project may take the form of a lease agreement, loan agreement, note or bond, or any other form then authorized by the Act.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement by their officers thereunto duly authorized as of the _____ day of _____ 1980.

CITY OF FORT WAYNE, INDIANA

By _____
Mayor

Attest: _____
Clerk

BRIGHTON MEADOWS

By _____



FORT WAYNE COMMUNITY SCHOOLS

ADMINISTRATIVE CENTER • 1230 SOUTH CLINTON STREET • FORT WAYNE, INDIANA 46802

OFFICE OF THE
SUPERINTENDENT
PHONE 219/425-7272

March 26, 1980

Mr. John E. Hoffman
1212 Anthony Wayne Bank Building
Fort Wayne, Indiana 46802

Dear Mr. Hoffman:

The proposed construction of a 248 unit apartment project on a 19 acre tract on the east side of Getz Road within the city limits will have no adverse effect on the Fort Wayne Community Schools.

We believe that present facilities and personnel are adequate to take care of any changes in the public schools as a result of this project.

Very truly yours,

Lester L. Grile
Superintendent of Schools

LLG:jt

April 8, 1980

To: Fort Wayne City Council

From: Westmoor Park Extended Residents

Re: Drainage

The residents whose signatures are attached respectfully request City Council's consideration of the attached data.

We trust you will work diligently to develop a cost effective and efficient method of solving the problems of our neighborhood and those surrounding us, which fall in the affected area.

Thank you for your time. We look forward to working closely with this council and other city officials in maintaining the quality of this neighborhood, both now and in the future.

Regards,

Westmoor Park Extended Residents
(see attached list)

Contact: Victor M. Locke
1415 Edenton Drive
Fort Wayne, Indiana 46804
432-8047

WESTMOOR EXTENDED

WESTMOOR EXTENDED IS LOCATED NORTH OF U.S. 24, SOUTH OF S.R. 14 AND WEST OF REKEWEG ROAD. ON THE WEST, IT IS BOUNDED BY THE LAWRENCE DRAIN. THE LAWRENCE DRAIN WATERSHED STRETCHES EAST OF REKEWEG, NORTH OF S.R. 14, JUST SOUTH OF U.S. 24 AND WEST TO GETZ ROAD.

WESTMOOR EXTENDED IS A "MODEST" NEIGHBORHOOD. IT WAS CONSTRUCTED IN THE LATE '50'S AND EARLY '60'S. A PORTION WAS ANNEXED TO THE CITY IN THE EARLY 1970'S WITH THE REMAINING PORTION ANNEXED IN JULY 1977. THE RESIDENTS REPRESENT PRIMARILY TWO AGE GROUPS: YOUNG NEW HOMEOWNERS OF AGE 20-35 AND OLDER SITUATED RESIDENTS OF 50+. MOST MOVEMENT IN AND OUT OF THE NEIGHBORHOOD IS BY THE YOUNGER RESIDENTS, AND THAT MOVEMENT IN ITSELF IS SMALL. MOST RESIDENTS ARE PROUD HOMEOWNERS AS EVIDENCED BY THE CARE AND IMPROVEMENT OF THEIR HOMES. MANY HAVE UNDERGONE MAJOR REMODELING INCLUDING ADDITIONS, NEW SIDING, NEW ROOFING ETC. ROADS THROUGH WESTMOOR EXTENDED (GLENDALE, EDENTON, MELBOURNE COURT, DRESDEN, KENTON, CRANDON AND CRESTON) ARE A CONCRETE BASE, WHICH IN MANY AREAS IS FAILING DUE TO IMPROPER INITIAL INSTALLATION AND EXCESSIVE DRAINAGE PROBLEMS. SOME OF THESE STREETS ARE IN THE PROCESS OF OR HAVE BEEN RECENTLY RESURFACED WITH A HOT ASPHALT MIX, A TEMPORARY SOLUTION TAKEN SINCE ENTIRE REPLACEMENT OF THE CONCRETE BASE WOULD ONLY TEND TO BE UNDERMINED AT A LATER DATE BY THE UNCHECKED DRAINAGE PROBLEM. ONE ROAD NOT BEING RESURFACED, MELBOURNE COURT, IS CONSIDERED A LOSS CAUSE AS IT IS ACTUALLY SINKING IN PLACES DUE TO THE INCREASED LOAD PLACED ON WESTMOOR'S STORM DRAINAGE SYSTEM AND ON THE LAWRENCE DRAIN.

LAWRENCE DRAIN

ON APRIL 22ND, 1970, A COUNTY SURVEYOR'S OFFICE PROPOSAL TO RE-CONSTRUCT LAWRENCE DRAIN WAS DROPPED WHEN RESIDENTS WITHIN THE WATERSHED REJECTED IT DUE TO EXCESSIVE ASSESSMENTS. IT WOULD HAVE COST SOME OF THE RESIDENTS 500-DOLLARS OR MORE TO HAVE THE DRAIN MODIFIED TO MEET PRESENT (1970) AND FUTURE DRAINAGE NEEDS. MAINTENANCE CHARGES IN THE AMOUNT OF 6-DOLLARS PER YEAR PER PROPERTY OWNER HAVE ALSO BEEN LEVIED FOR THE PAST 10+ YEARS, YET THERE HAS BEEN ONLY ONE RECONSTRUCTION PROGRAM, AND THIS WAS MORE OF A BEAUTIFICATION EFFORT. SINCE THE EARLY 1970'S, CONSTRUCTION WITHIN THE LAWRENCE DRAIN WATERSHED HAS INCREASED, PLACING AN EVEN GREATER LOAD ON THE DRAIN.

PROBLEMS IDENTIFIED

NEW BUSINESSES HAVE LOCATED ALONG U.S. 24 AND S.R. 14. IN THE EARLY 1970'S, A NEW SUBDIVISION WAS CONSTRUCTED WEST OF REKEWEG AND SOUTH OF S.R. 14 WITH ITS STORM SEWER SYSTEM TYING INTO THE WESTMOOR SYSTEM, DESPITE THIS SYSTEM'S INABILITY TO HANDLE THE FORECAST FLOW. THE DEVELOPER OF TIMES CORNERS SHOPPING CENTER (WHICH FALLS WITHIN THE WATERSHED) ALSO INSTALLED UNDERSIZED TWIN STORM CONDUITS TO ALLOW THE LAWRENCE DRAIN TO PASS BENEATH THE SHOPPING CENTERS PARKING LOT. THESE HAVE POSED A MAJOR PROBLEM. NO MATTER WHAT TIME OF THE YEAR, ONE CAN OBSERVE TRASH BARS AT WILKIE DRIVE (WHERE THE TWIN UNDERSIZED CONDUITS MEET THE OPEN DRAIN) SO CLOGGED WITH TRASH AND OTHER DEBRIS THAT IT IS

IMPOSSIBLE FOR SIGNIFICANT AMMOUNTS OF WATER TO ENTER THE UNDERSIZED CONDUITS. AT TIMES, THIS HAS BECOME A BREEDING AREA FOR RATS AND OTHER VERMIN. NORTH OF WILKIE DRIVE, THE LAWRENCE DRAIN BACKS UP TO BECOME A CESSPOOL OF MOSS, ALGAE, MOSQUITOES AND OTHER HEALTH THREATS, AND WHEN THIS DRIES OUT (WHICH IS RARE) THE ODOR IS UNBEARABLE. THIS PARTICULAR SITUATION WAS AGGRAVATED FURTHER IN 1978 WHEN A NURSING HOME WAS BUILT JUST NORTH OF WILKIE DRIVE AND EAST OF THE DRAIN. DURING THE COURSE OF THIS CONSTRUCTION PERMISSION WAS NOT GRANTED BY THE CITY FOR ALTERATIONS TO LAWRENCE DRAIN. IT WAS ALTERED ANYWAY... UNDERCUT BELOW THE COUNTY SURVEYOR'S CLEANING GRADE EXPOSING A DRY WEATHER FLOW LINE THAT SERVES AS A SEPTIC TANK EFFLUENT LINE, APPROXIMATELY 500-LINEAL FEET WEST OF THE NORTHEAST CORNER OF THIS DEVELOPMENT SITE. THROUGH PRESSURE FROM THE COUNTY SURVEYOR AND THE CITY OF FORT WAYNE, THE DEVELOPER MOVED TO CORRECT THE DAMAGES TO LAWRENCE DRAIN, BUT TO THIS DATE THAT EFFORT REMAINS FAR SHORT OF WHAT IS NEEDED. WATER CONTINUES TO BACK UP INTO THE DRAIN, ESPECIALLY AT THE SITE OF THE EXPOSED EFFLUENT LINE, WHICH ACTS AS A SORT OF "MINI-DAM" BEHIND THE NURSING HOME PROPERTY.

MORE RECENTLY, A DUNKIN DONUTS WAS CONSTRUCTED ALONG U.S. 24 WITH THE REAR OF THIS BUSINESS FACING WILKIE DRIVE. LAWRENCE DRAIN FLOW IS SO HAMPERED HOWEVER, DEVELOPERS OF THIS BUSINESS WERE REQUIRED BY THE CITY TO INSTALL A STORM WATER RETENTION POND...WITHIN 800- FEET OR SO OF THE DRAIN, FURTHER EVIDENCING THE INABILITY OF THIS DRAIN TO FUNCTION. TO THIS DAY, THIS POND REMAINS FILLED 90-PER CENT OF THE TIME INVITING VERMIN AND POSING A THREAT TO THE AREAS YOUNGSTERS. THIS POND IS ALSO LOCATED WITHIN A FEW HUNDRED YARDS OF A BASEBALL DIAMOND.

THE USE OF RETENTION/DETENTION PONDS DID NOT STOP THERE. THEY HAVE BECOME POPULAR AMONG DEVELOPERS IN THE LAWRENCE SHED AS AN ALTERNATIVE TO WORKING WITH OTHER AUTHORITIES IN DEALING WITH THE DRAINAGE PROBLEMS, ALL AT A COST TO WESTMOOR EXTENDED.

DEVELOPERS OF A PROPOSED APARTMENT COMPLEX, BRIGHTON MEADOWS, PROPOSE TWO SUCH RETENTION PONDS WHICH ON THE AVERAGE WILL BE 11- FEET DEEP. THIS DEVELOPMENT IS LOCATED DIRECTLY WEST OF MELBOURNE COURT, ACROSS THE LAWRENCE DRAIN AND EAST OF GETZ ROAD. ANOTHER NEW DEVELOPMENT, KNOWN AS BRECONSHIRE, IS NOW UNDER CONSTRUCTION NORTH OF THE BRIGHTON MEADOWS PROJECT AND IT FURTHER THREATENS TO HAMPER THE LAWRENCE DRAINS ABILITY TO PERFORM. ADMITTEDLY, THESE RETENTION PONDS WILL PREVENT MAJOR NEW PROBLEMS WITH THE LAWRENCE DRAIN, IN THE SHORTFALL, BUT SIGNIFY AN APPARENT RETICENCE ON THE PART OF THE CITY, COUNTY AND THE DEVELOPERS TO CORRECT A PROBLEM THEY KNOW EXISTS.

THESE MOVES TO UNDERMINE THE STRATA FLOW OF LAWRENCE DRAIN HAVE CREATED AND WILL CREATE GREATER PROBLEMS FOR THE WESTMOOR EXTENDED NEIGHBORHOOD AND OTHER AREAS WITHIN THE WATERSHED AS WELL. MELBOURNE COURT CONTINUES TO BE PLAGUED WITH AN UNSTABLE ROAD BASE, A PROBLEM THAT HAS BEEN MOSTLY IGNORED. IN 1970, THE COUNTY HIGHWAY DEPARTMENT CUT A 4x150 FOOT SWATH FROM THE MIDDLE OF THAT ROAD TO CHECK FOR VOIDS, THEN BACKFILLED WITH STONE WHICH WAS LATER WASHED OUT. IMAGE THE FUTURE OF THIS ROAD IF DEVELOPMENT IS ALLOWED TO CONTINUE WITHOUT CORRECTIONS TO THE FLOW OF THE LAWRENCE DRAIN? AND THE HEALTH AND WELFARE OF THE RESIDENTS OF WESTMOOR AND THEIR CHILDREN AS WELL AS THE GENERAL CONDITION OF THE NEIGHBORHOOD

CONTINUE TO BE THREATENED BY THE RETICENCE OF THOSE MENTIONED EARLIER, TO CORRECT THESE PROBLEMS.

ON A LARGER SCALE THOUGH, FAILURE TO DEAL WITH THIS PROBLEM COULD RESULT IN DIFFICULTIES DOWN THE ROAD FOR THOSE WISHING TO DEVELOPE OTHER AREAS WITHIN THE LAWRENCE DRAIN SHED. FOR EXAMPLE, THERE IS A PARCEL OF LAND IMMEDIATELY EAST OF WESTMOOR EXTENDED AND WEST OF REKEWEG ROAD, WHICH HAS APPARENTLY BEEN TARGETED FOR CONSTRUCTION OF AN APARTMENT COMPLEX. THERE IS HARDLY ENOUGH ROOM TO INSTALL THE RETENTION PONDS NECESSARY TO HANDLE STORM WATER, AND ATTEMPTING TO TIE A STORM SYSTEM FROM ANY DEVELOPMENT ON THAT SITE INTO THE WESTMOOR STORM SYSTEM WILL FURTHER BOG DOWN THE WESTMOOR SYSTEM. THE NEXT ALTERNATIVE IS TO RUN A SEPARATE STORM LINE FROM THE SITE THROUGH WESTMOOR, INTO LAWRENCE DRAIN, WHERE IT WILL BE BACKED UP DUE TO THE DRAIN'S INABILITY TO HANDLE WHAT IS ALREADY DUMPED INTO IT.

SOLUTION

THE 1970 PLAN FORMULATED BY THE COUNTY SURVEYOR'S OFFICE COULD BE UPDATED AND IMPLEMENTED TO TODAY'S STANDARDS, TO PROVIDE A MAIN CHANNEL WATERWAY TO SOLVE MOST OF THE DRAINAGE PROBLEMS IN THE LAWRENCE SHED, AND ELIMINATE THE NEED FOR RETENTION/DETENTION PONDS. THE COST OF SUCH A PROJECT IS SAID TO BE AROUND 160-THOUSAND TO 200-THOUSAND DOLLARS. IT COULD BE FUNDED FROM A NUMBER OF SOURCES. AMONG THESE: CITY REVENUE SHARING, COUNTY REVENUE SHARING SINCE LAWRENCE DRAIN IS STILL A LEGAL COUNTY DRAIN, DEVELOPER INPUT (AS OPPOSED TO THE COST OF RETENTION PONDS AND THE LIABILITY THAT ACCOMPANIES THEM) AND FUNDS FROM THE LAWRENCE DRAIN MAINTENANCE FUND. IN ADDITION, SOME OF THE 80-100 MILLION DOLLARS IN EPA FUNDS EARMARKED FOR THE CITY MIGHT ALSO BE USED FOR THIS PROJECT, SINCE SEPTIC TANK EFFLUENT FLOW IS ALSO INVOLVED.

CORRECTION OF THIS PROBLEM GOES ONE STEP FARTHER THOUGH. IN ADDITION TO EASING DRAINING PROBLEMS THAT COULD BE AGGRAVATED BY FURTHER DEVELOPMENT IN THE STORM SHED, IT COULD ALSO RESULT IN PRESERVATION OF A FORT WAYNE NEIGHBORHOOD. THIS WOULD SERVE AS A GREAT EXAMPLE OF FORT WAYNE'S COMMITMENT TO NEWLY ANNEXED AREAS AND POSSIBLY DEMONSTRATE TO PROPOSED ANNEXATION AREAS TO THE WEST AND SOUTH OF WESTMOOR EXTENDED THAT THE CITY IS TRULY INTERESTED IN HELPING SOLVE THEIR PROBLEMS. TO IGNORE THIS PROBLEM NOW, WILL HAVE GREATER CONSEQUENCES IN THE FUTURE, CONSEQUENCES THAT COULD PROVE MUCH MORE COSTLY TO THE CITY.

To: City Council, Fort Wayne IN
 From: Westmoor Extended Residents
 Re: Drainage

Name	Address	Own or Rent???
1. William J. Haynes	1916 Melbourne Court	Own
2. Thomas R. Berry	2007 Melbourne Ct	"
3. Robert A. Vetter	1921 Melbourne Ct.	"
4. Joann M. Nif	2006 Melbourne Ct	own
5. Darnaz E. Nif	2006 Melbourne Ct.	"
6. William E. Hermes	2013 Melbourne Ct.	own
7. Shirley Hermes	2013 Melbourne	own
8. Dorothy Vetter	1921 Melbourne Ct	own
9. Connie Bell	2025 Melbourne Ct.	Own
10. Emma Lou C. Rose	1914 Melbourne Ct.	Own.
11. Roger A. Post	1906 MELBOURNE CT.	OWN
12. Gladis A. Post	1906 Melbourne Ct.	own
13. Mildred L. Moore	5310 Kenton Lane	own
14. Bernice L. Moore	5310 Kenton Lane	own
15. Richard A. Rose	1914 Melbourne Ct.	own.
16. Diana Berry	2007 Melbourne Ct.	Own
17. W. A. Chamal	1911 Edenton Dr	OWN
18. Harold Talliner	1922 Edenton Dr.	own
19. J. Talliner	1922 Edenton Dr.	own
20. Anna Marie Chamal	1911 Edenton Dr.	own
21. J. J. Minter	1910 Edenton Dr	own
22. J. Haynes	1916 Melbourne Ct	own.

To: City Council, Fort Wayne IN
 From: Westmoor Extended Residents
 Re: Drainage

Name	Address	Own or Rent???
Ray Yarnan	5332 Kenton Lane	owner -
Sharon Redding	2028 Melbourne Ct	own
Don C. Wright	2112 Melbourne Ct	own
Kathy Wright	2112 Melbourne Ct	own
Denwood Smith	2122 Melbourne CT	own
Jan K Smith	2122 Melbourne CT	own
Cheryl Furniss	2214 Melbourne Ct	own
Gary Furniss	2214 Melbourne Ct	own
Cene Redding	2113 Melbourne Ct.	OWN
Mary Tahn	2207 Melbourne Ct	own
Robert M Tahn	2207 Melbourne Ct	Own
Lois Houn	2215 Melbourne Ct	own
Suzanne K. Karst	2008 Edenton Dr	Own
Vincent L. Karst	2008 Edenton Dr	own.
Virginia Yarnan	5332 Kenton Ave	own.
Bruce & Lehman	2109 Melbourne Ct	own
Warley Collier	2018 Melbourne Ct.	own
Pauline Collier	2018 Melbourne, Ct	own
Lester C. Meyer	1622 Edenton Dr	own
Dorothy Meyer	1622 Edenton Dr.	own

To: City Council, Fort Wayne IN
 From: Westmoor Extended Residents
 Re: Drainage

Name	Address	Own or Rent???
Mrs & Mrs Martin Kenney	1406 Edenton Dr	Own
Mr & Mrs Robert M. Duval	1325 Edenton Dr	own
Mr & Mrs Randy A. Duckboof	1412 Edenton Dr	own
Lena Gaylan	1318 N. Glendale Dr	own
Jean Gladney	1324 Edenton	own
Mr & Mrs Herb Brendt	1310 Edenton	own
Major & Mrs James N. Vawter	1304 Edenton Dr.	own
Mrs & Mrs Wendell Sutter	1247 N. Glendale Dr.	Own
Mr. & Mrs. Lloyd A. Reed	1314 N. Glendale Dr	Own
Mrs Mary Ann Kemp	1250 Edenton Dr	own
Diane Dixon	1311 Edenton Dr.	own
Kenneth J. Dixon	1311 EDENTON DR	own
William H. Jackson	1418 Edenton Drive	own
Mrs. Barbara J. Bruner	1514 Edenton Dr.	own
Poland E. Bruner	1514 Edenton Dr.	own
Mr. & Mrs. Lora W. Meli	1508 Edenton Dr.	Own.

To: City Council, Fort Wayne IN
 From: Westmoor Extended Residents
 Re: Drainage

Name	Address	Own or Rent???
David E. Fivcoate Sr.	1419 Edenton Dr.	own
Shering J. Fivcoate	1419 Edenton Dr.	own
Martha C. Zisher	1426 Edenton Dr.	owner
Constance J. Brown	2108 N. Glendale	<u>owner</u>
Lusie Stelf	1633 N. Glendale	owner
Mr + Mrs W.C. Rossen	1602 N. Glendale	owners
Mrs Arretta E. Hosks	1520 Edenton Dr.	owner
Mrs Karen Beckham	1527 Edenton Dr.	owner

DIGEST OF BILL

9-80-03-38

TITLE OF RESOLUTION:

Inducement Resolution for issue of Economic
Development Revenue Bonds.

DEPARTMENT REQUESTING
RESOLUTION:

Economic Development Commission

SYNOPSIS OF RESOLUTION:

To authorize issue of \$9,000,000.00 industrial
revenue bonds under the Economic Development
Act for acquisition and construction of a
multi-family apartment complex by Brighton
Meadows, an Indiana limited partnership. The
proceeds of the bonds will be used to finance
the construction of the project. The bonds
will be retired two years after issuance.

EFFECT OF PASSAGE:

Construction of additional facilities in
City of Fort Wayne of \$9,000,000.00, plus
creation of 6 new jobs. (Project located
on east side of Getz Road between Illinois
Road and U.S. Highway 24).

EFFECT OF NON-PASSAGE:

Failure of above.

MONEY INVOLVED (DIRECT
COSTS, EXPENDITURES,
SAVINGS:

No direct costs.

ASSIGNED TO COMMITTEE:

Finance